



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO: City Council

FROM: City Manager

MEETING DATE: November 1, 1989

AGENDA TITLE: Public Hearing to Consider Resolution to Vacate a Portion of the Public Utility Easement at 210 South School Street

RECOMMENDED ACTION: That the City Council adopt an order abandoning a portion of the public utility easement at 210 South School Street.

BACKGROUND INFORMATION: At its meeting of September 20, 1989, the City Council adopted a resolution of intention to vacate a portion of the public utility easement at 210 South School Street and referred the matter to the Planning Commission.

The Planning Commission determined at its meeting of October 9, 1989 that there was no public need, present or future, for this portion of the easement. All public utilities in this easement have or will be relocated at the owner's expense.

The owners have paid the required fees to process this abandonment. Pacific Bell, Pacific Gas and Electric Company, King Videocable Company and City utilities have been notified of this proposed abandonment and their approval has been secured.

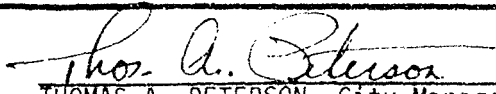
A sketch of the proposed abandonment is attached.


Jack L. Ronsko
Public Works Director

JLR/mt

Attachment

APPROVED:


THOMAS A. PETERSON, City Manager

FILE NO.

RESOLUTION NO. 89-132

RESOLUTION OF INTENTION TO VACATE
A PORTION OF THE PUBLIC UTILITY EASEMENT AT 210 SOUTH SCHOOL STREET, LODI

BE IT RESOLVED by the City Council of the City of Lodi as follows:

It is the intention of the City Council of the City of Lodi, acting in accordance with the provisions of Sections 8300 et seq. of the Streets and Highways Code of the State of California, to vacate and abandon the portion of the public utility easement located at 210 South School Street, Lodi as shown on Exhibit A attached hereto and thereby made a part hereof.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

BE IT FURTHER RESOLVED that this City Council does hereby fix Wednesday, November 1, 1989, at the hour of 7:30 p.m., in the Council Chamber, Carnegie Forum, 305 West Pine Street, Lodi, California, as the time and place when and where all persons interested in or objecting to this proposed vacation may appear before this City Council and be heard;

BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of easement vacation conspicuously along the line of the easement hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California;

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to November 1, 1989 in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: September 20, 1989

I hereby certify that Resolution No. 89-132 was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 20, 1989, by the following vote:

Ayes: Councilmembers - Hinchman, Olson, Pinkerton, Reid and Snider

Noes: Councilmembers - None

Absent: Councilmembers - None

Alice M. Reimche
ALICE M. REIMCHE
City Clerk

89-132

RES89132/TXTA.02J



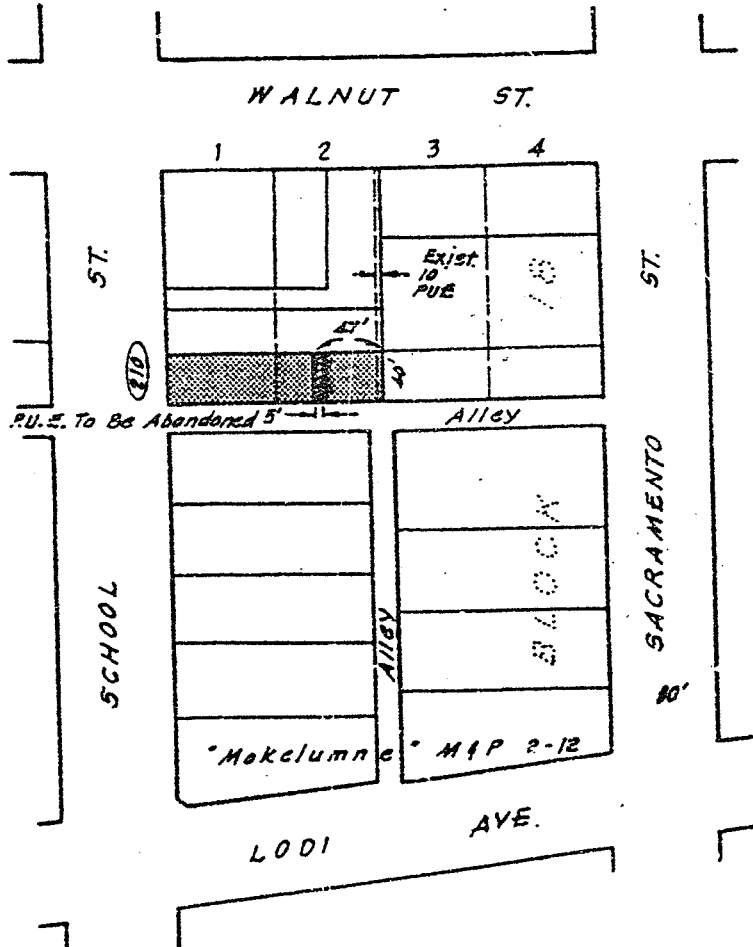
CITY OF LODI

PUBLIC WORKS DEPARTMENT

EASEMENT ABANDONMENT

210 S. School St.

Exhibit A



Dr.	Re.	Date	Revision	Appr.	Approved By	
JM						
Ch.						
Date						
					Public Works Director	Date
					RCE	

When recorded, return to:

City Clerk
City of Lodi
Call Box 3006
Lodi, CA 95241

RESOLUTION/ORDER NO. 89-162

RESOLUTION/ORDER VACATING A PORTION OF THE PUBLIC UTILITY EASEMENT
LOCATED AT 210 SOUTH SCHOOL STREET, LODI

WHEREAS, the City Council of the City of Lodi, acting in accordance with the provisions of Sections 8320 et seq. of the Streets and Highways Code of the State of California, did on the 20th day of September, 1989, pass and adopt Resolution No. 89-132, therein declaring the intention of said City Council to vacate a portion of the public utility easement located at 210 South School Street, Lodi, California, and more particularly described in said resolution; and

WHEREAS, said matter has been referred to the Planning Commission of the City of Lodi and a favorable recommendation has been made by said Planning Commission to this City Council; and

WHEREAS, notice of adoption of said Resolution of Intention to vacate **was** regularly given **by** publication in the "Lodi News Sentinel", a newspaper of general circulation published in the City of Lodi, County of San Joaquin, and **by** posting on the property, both in the time, form, and manner as required by law, and there are on file in the office of the City Clerk affidavits showing said publication and posting; and

WHEREAS, in accordance with the notice given in said Resolution No. 89-132, a public hearing was held before said City Council in the Council Chamber, Carnegie Forum, 305 West Pine Street, Lodi, California, at 7:30 p.m., on November 1, 1989; and

WHEREAS, at the aforesaid time and place set for public hearing, no person appeared to object to the vacation of said portion of the public utility easement; and

WHEREAS, the City Council of the City of Lodi did then and there determine, at said public hearing, that the portion of the public utility easement more particularly hereinafter described is unnecessary for present or prospective public use;

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to the foregoing findings and under the authority of Sections 8320, et seq., of the Streets and Highways Code of the State of California, that there is hereby abandoned and vacated a portion of that certain public utility easement situated in the City of Lodi, County of San Joaquin, State of California, more particularly described as follows:

The west 5.00 feet of the east 47.00 feet of the south 40.00 feet of Lot 2 in Block 18 as shown upon Map entitled MOKE LUMNE (now City of Lodi), filed for record August 25, 1869 in Volume 2 of Maps and Plats, Page 12, San Joaquin County Records.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

Dated: November 1, 1989

I hereby certify that Resolution/Order No. 89-162 vacating the portion of the public utility easement heretofore described was passed and adopted by the City Council of the City of Lodi in a regular meeting held Wednesday, November 1, 1989 by the following vote:

Ayes : Council Members - Hinchman, Olson, Pinkerton and Snider
(Mayor)

Noes : Council Members - None

Absent: Council Members - Reid


ALICE M. REIMCHE
City Clerk

EXHIBIT A

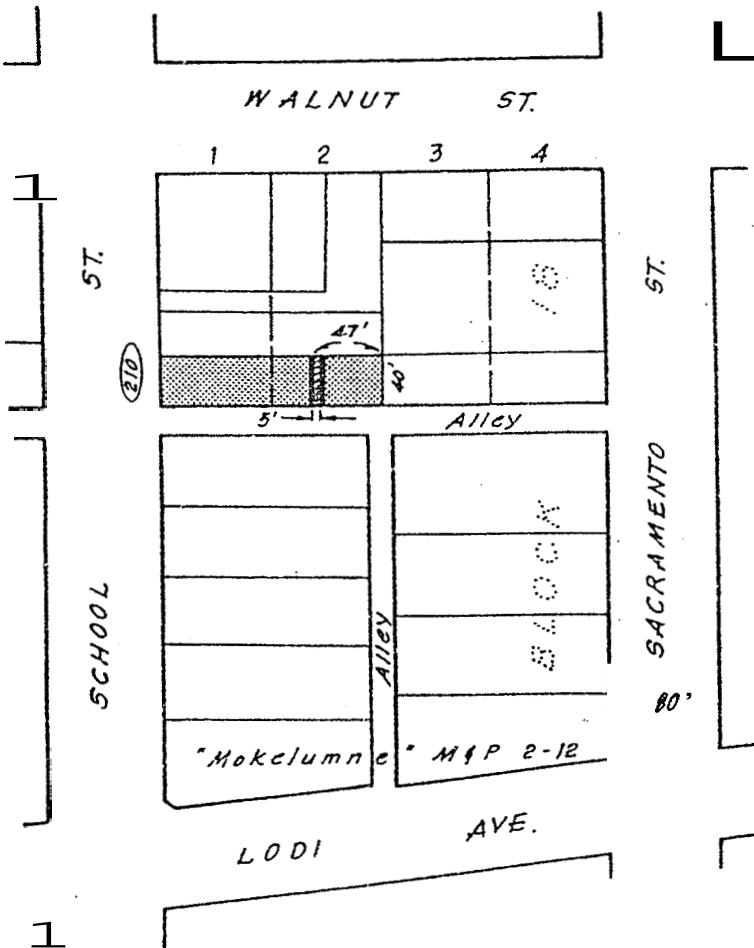


CITY OF LODI

PUBLIC WORKS DEPARTMENT

EASEMENT ABANDONMENT

210 5. School St.



Dr. <i>JM</i>	No.	Date	Revision	Appr.	Approved By	
Ch.						
Date					Public Works Director	Date
					RCE	